

AMENDED IN SENATE JANUARY 5, 1998

AMENDED IN SENATE APRIL 15, 1997

AMENDED IN SENATE APRIL 3, 1997

SENATE BILL

No. 704

Introduced by Senator ~~Rainey~~ Polanco

February 25, 1997

An act to amend ~~Sections 6704, 6730, 6738, 6740, 6756, and 6787 of, and to add Sections 6702.3, 6734.3, and 6735.7 to, the Business and Professions Code, relating to engineering. Section 7160 of the Business and Professions Code, relating to contracting.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 704, as amended, ~~Rainey~~ Polanco. ~~Chemical engineers Contracting.~~

Existing law provides that any person who is induced to contract for a work of improvement in reliance on false or fraudulent representations may sue and recover a penalty of \$500 in addition to attorney's fees and the value of damages sustained as a result of those misrepresentations.

This bill would allow a penalty equal to 3 times the total contract price in addition to attorney's fees and damages.

~~Existing law provides for the licensing and regulation of professional engineers by the State Board of Registration for Professional Engineers and Land Surveyors. The law prohibits any person from practicing civil, electrical, or mechanical engineering unless he or she is registered, and prohibits any~~

~~person from using specific titles related to engineering, unless authorized by the board.~~

~~This bill would prohibit any person from engaging in the practice of chemical engineering unless registered by the board, and would make related changes.~~

~~This bill would also state legislative intent.~~

~~The bill would impose a state-mandated local program by adding a new crime because a violation of the Professional Engineers Act constitutes a misdemeanor.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ no. State-mandated local program: ~~yes~~ no.~~

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. (a) The purpose of this act is to protect~~
- 2 ~~SECTION 1. Section 7160 of the Business and~~
- 3 ~~Professions Code is amended to read:~~
- 4 7160. Any person who is induced to contract for a
- 5 work of improvement, including, but not limited to, a
- 6 home improvement, in reliance on false or fraudulent
- 7 representations or false statements knowingly made, may
- 8 sue and recover from ~~such~~ *the* contractor or solicitor a
- 9 penalty ~~of five hundred dollars (\$500)~~ *equal to three*
- 10 *times the total contract price*, plus reasonable attorney's
- 11 fees, in addition to any damages sustained by him *or her*
- 12 by reason of ~~such~~ *those* statements or representations
- 13 made by the contractor or solicitor.

1
2
3
4
5
6
7

**All matter omitted in this version of the
bill appears in the bill as amended in the
Senate, April 15, 1997 (JR 11)**

O

